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Missiles

Report of the Secretary-General

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I. Introduction

1. In paragraph 2 of its resolution 57/71 of 22 November 2002, entitled "Missiles", the General Assembly requested the Secretary-General to seek the views of Member States on the report on the issue of missiles in all its aspects (A/57/229) and to submit a report to the Assembly at its fifty-eighth session.

2. By a note verbale dated 5 March 2003, Member States were invited to communicate their views on the issue. Replies were received from Antigua and Barbuda, Argentina, Cuba, El Salvador, Mexico, Qatar, the Russian Federation and Venezuela. Their replies are reproduced in section II below. Any replies received subsequently will be issued as addenda to the present report.

II. Replies received from Member States

Antigua and Barbuda

[Original: English]
[3 April 2003]

Antigua and Barbuda has no scientific expertise on missiles but is totally opposed to their use in conflict and is supportive of their eradication.

Argentina

[Original: Spanish]
[13 May 2003]

1. The preparation of this report, the first comprehensive effort on the part of the international community to deal with the issue of missiles within the framework of the United Nations, is most welcome, in particular for its exhaustive analysis of the historical background and current situation with regard to missiles, including their capability and characteristics, existing measures and current initiatives, as well as for the identification by experts of concerns such as their growing sophistication and the possibility of using them to deliver weapons of mass destruction as well as conventional weapons.

2. The Government of Argentina welcomes paragraph 27 (d) of the report, on peaceful uses, and paragraph 72, which acknowledge that there are similarities between space launch vehicle (SLV) technologies and those required for ballistic missiles for military purposes.

3. Although Argentina takes note of paragraph 27, with regard to the Missile Technology Control Regime (MTCR) and The Hague Code of Conduct Argentina has maintained that there are various criteria and situations which would allow a country to develop a space launch vehicle within the context of a peaceful, civilian and transparent space plan while at the same time providing guarantees to the international community that it was not developing a missile programme. Therefore, in accordance with paragraph 72, Argentina upholds the right of States to pursue the peaceful uses of space and to utilize its benefits for peaceful purposes.

4. With regard to paragraph 44 of the report, Argentina is an active member of the Missile Technology Control Regime (MTCR). In September 2003, on the occasion of the XVIIIth plenary in Buenos Aires, the Director for International Security, Nuclear and Space Affairs of the Ministry of Foreign Affairs, Foreign Trade and Religion will assume the Argentine Chairmanship of the Regime.

5. Finally, Argentina welcomes paragraph 3 of General Assembly resolution 57/71, which requests the Secretary-General, with the assistance of a Panel of Governmental Experts, to explore further the issue of missiles in all its aspects and to submit a report for consideration by the General Assembly at its fifty-ninth session.

Cuba

[Original: Spanish]
[4 June 2003]

1. Cuba considers any attempt to reduce the number of and eliminate situations that pose a threat to international peace and security and to promote peaceful coexistence between the peoples of the world to be important.

2. Recent history has seen a serious deterioration of the international situation, characterized by the hegemonic, unilateral and aggressive diplomacy of the world's super-Power, which acts with total disregard for multilateral institutions and practices, including the network of international treaties on disarmament and arms control, in particular those relating to weapons of mass destruction.

3. That situation confirms the need to promote concrete measures aimed at countering the marked tendency to impose unilateral, selective and discriminatory solutions for problems which affect mankind as a whole. It is in this context that Cuba supports the General Assembly's efforts to deal with the issue of missiles in all their aspects.

4. Cuba welcomes and takes note of the report of the Secretary-General on the issue of missiles in all its aspects (A/57/229). It is, however, of the opinion that third world countries are not sufficiently well represented on the Panel of Governmental Experts established to explore the issue of missiles in all its aspects and is convinced that greater participation by those countries in the future will contribute greatly to the Panel's work. It must not be forgotten that although the majority of those countries do not possess and have never possessed missile technologies or have no access to the latter, they are located in regions where missiles might be used or are directly or indirectly threatened by countries which possess missiles.

5. Independently of the above comment, Cuba, after closely studying the report of the Secretary-General, believes it to be a useful document which provides a large quantity of updated technical information on the status of current discussions relating to the issue of missiles, as well as on initiatives in that regard undertaken by the international community.

6. Cuba welcomes the report as a first effort on the part of the United Nations to seek solutions to the issue of missiles in all its aspects, and believes the report to be technically sound. It describes in great detail the historical background and provides a precise overview of the current state of missile technology as well as the dangers

and threats inherent in the proliferation of its use for military purposes would imply. It also lists all the treaties and agreements which deal explicitly or implicitly with the issue of missiles, although none of them can be said to constitute a binding legal instrument which establishes principles for the development, testing, production, acquisition, transfer, deployment or specific use of missiles. The report of the Panel of Experts also recognizes the right to the peaceful use of missile technologies.

7. While it recognizes that the report is but a first effort on the part of the United Nations to deal with the issue of missiles in all its aspects, Cuba hopes that in the future efforts of this kind will not be purely descriptive and will make concrete recommendations on how to deal with a problem which is directly related to the maintenance of international peace and security.

8. Cuba takes note of paragraph 3 of General Assembly resolution 57/71 and looks forward with interest to the findings of the Panel of Experts' continuing review of the issue of missiles in all its aspects, in the hope they will encourage and serve as a basis for more in-depth, substantive and action-oriented discussion on the part of Member States. A comprehensive, fair and non-discriminatory solution to the issue of missiles in all its aspects which takes into account the concerns of all countries with regard to international and regional security is urgently needed in the current complex international situation.

9. Cuba is convinced that the United Nations is the ideal multilateral forum for dealing with the issue of missiles in all its aspects. It can deal with military aspects, but can also consider the peaceful uses of missiles in the area of space exploration and the peaceful use of outer space for the benefit of humanity.

10. Recent history has demonstrated that narrow, selective approaches to dealing with issues relating to disarmament and arms control have not produced results which are sustainable and effective in the long term. Cuba is not in favour of approaches based solely on non-proliferation measures in which the rights and obligations of each State generally vary according to its power, state of technological advancement and political influence in international forums.

11. Only the employment of a systematic approach which includes components such as disarmament, non-proliferation, verification, assistance and international cooperation can lead to a definitive and truly effective solution to the concern raised by the proliferation of missiles.

12. Cuba is prepared to begin multilateral negotiations based on such an approach immediately, with a view to agreeing on a non-discriminatory and legally binding international instrument which prohibits the use of missiles for military purposes. The General Assembly and the Conference on Disarmament are the appropriate forums for that purpose.

13. Cuba has always believed that when dealing with the problem of proliferation one must take into account both the horizontal and vertical aspects of that phenomenon. In other words, one must analyse both the potential for transfer of existing technologies as well as continued advances in programmes for ballistic missiles capable of carrying weapons of mass destruction. Such missiles do not in themselves pose a threat; they become a threat when included in a programme for the development of nuclear, chemical or biological weapons.

14. It is widely acknowledged that there is a link between ballistic missiles and weapons of mass destruction, particularly nuclear weapons, the use of which generally involves the parallel development of missile construction programmes. Solutions aimed at preventing the use of ballistic missiles for military purposes therefore require meeting the objective of the total elimination of weapons of mass destruction, which generally means nuclear weapons. Cuba reiterates its long-standing position in favour of nuclear disarmament, including delivery systems, by means of a phased programme within a given time frame.

15. In the context of efforts to achieve nuclear disarmament, Cuba is of the view that it is very contradictory on the one hand to promote measures designed to curb the development of ballistic missile programmes while, on the other, designing and undertaking the installation of new anti-missile defence systems which, in practice, further contributes to the proliferation of these means and, even worse, would be a further stimulus to the arms race.

16. Cuba would also like the Panel of Experts to explore not only measures to avoid the proliferation of ballistic missiles capable of carrying nuclear, chemical and bacteriological weapons, as it has done to date, but also the issue of highly accurate cruise missiles armed with conventional high explosive warheads. It must not be forgotten that the latter are increasingly powerful and are used on a massive scale in contemporary military conflicts, making them a more immediate and direct threat to international peace and security.

17. The preceding paragraphs deal with the security aspects of the issue. Nevertheless, in accordance with the systemic and comprehensive approach which it advocates, Cuba believes that it is equally important to address the questions relating to the strengthening of international assistance and cooperation for the peaceful use of missile technologies. Both aspects are interrelated and mutually reinforcing.

18. It is a fact that given their dual-use nature, missiles also have peaceful applications in the context of space activities. Cuba is thus convinced that the international community must concentrate on limiting to the fullest extent possible the use of missiles for military purposes with a view to finally prohibiting such use and promoting the peaceful use of missile technologies under international supervision.

19. The technology needed to develop high-precision ballistic or cruise missiles capable of carrying weapons of mass destruction or sophisticated conventional weapons is the exclusive domain of a handful of States. On the other hand, the goals of development and economic growth, for example in the area of communications and telecommunications technologies, are shared by all countries, in particular the underdeveloped countries.

20. For Cuba the link between the concepts of disarmament and development is more relevant and important than ever. Tremendous resources are currently being allocated to the military while there is an unprecedented increase in the countless calamities, such as poverty, hunger and preventable and curable illnesses, which afflict the peoples of the world, in particular the third world. At the same time, accelerated technological development is taking place which has great potential to resolve those grave problems.

21. Concrete measures to promote the socio-economic development of all countries must therefore be designed. These measures could include, for example, widespread and non-discriminatory application of the findings of research derived from the peaceful use of outer space; joint research for peaceful purposes; transfer of related technologies; financial assistance for the development of peaceful projects; and the elimination of all barriers, whether economic or political, to the development of peaceful international cooperation in that sphere.

22. In that context, Cuba rejects export control regimes which are based on selective and discriminatory criteria and in practice constitute a serious barrier to the exercise of the inalienable right of all States to use the various missile vehicles and technologies for peaceful purposes.

23. International monitoring of exports and imports should include among its basic tenets the broadest possible participation of States which are ready to harmonize their national controls and regulations with a view to facilitating monitoring. Only such wide-ranging and non-discriminatory participation can guarantee effective achievement of the desired objectives.

24. Continued globalization, with its impressive technological advances, in particular in the area of information technology and telecommunications, extends and reinforces the impact of international trade, and involves a larger number of players in that trade. There is a directly proportional relationship between the effectiveness of international export and import mechanisms and increased participation in them by countries.

25. Bearing that in mind, the most effective model for controlling exports and imports is a model which is negotiated and implemented within a multilateral framework. Participation by States from all regions of the planet means that the imperatives of the phenomenon of globalization and the individual characteristics of trade in each of the regions in which globalization occurs are taken into account.

26. Furthermore, efforts to facilitate the improved functioning of such export and import control mechanisms in the long term should not be separated from the issue of international cooperation for the peaceful use of science and technology for the socio-economic development of countries, in particular the countries of the South.

27. Controls on the export and import of dual-use technologies are not an end in themselves but simply a useful tool which States possess to prevent such scientific and technological advances from being diverted to military purposes. Keeping them separate from a system made up of both security and development components can only make them more ineffective. It is clear, then, that such mechanisms, if they are truly to prevent the development of weapons, must be part of a system which includes the elements of disarmament, non-proliferation, verification and international cooperation for socio-economic development.

28. Accordingly, Cuba has stated that the initiative on a draft international Code of Conduct against Ballistic Missile Proliferation contains basic flaws and limitations which make it unacceptable. It is not based on a systemic and integrated model which would guarantee its effectiveness and does not include real measures to promote nuclear disarmament. It is aimed only at promoting measures for horizontal non-proliferation, as perpetuating the right of a very small number of States to continue perfecting their missile technologies for military uses, while not including

concrete measures to promote the peaceful use of such technologies by all countries, in particular the underdeveloped countries.

29. Cuba therefore does not agree, as stated in the report (para. 64), that a draft "International Code of Conduct against Ballistic Missile Proliferation" would be an instrument which could promote the prevention and curbing of the proliferation of ballistic missile systems. Neither would it adequately establish global principles and commitments, or transparency or other confidence-building measures, because it does not reflect the legitimate security-related interests and priorities of many countries and because it is not a balanced proposal capable of securing universal acceptance.

30. Rather than such half measures, Cuba believes a legally binding international instrument must be developed which prohibits the use of missiles for military purposes and which would include strict mechanisms for the control of the export and import of such technologies and contain clear commitments regarding international cooperation for their peaceful use.

31. Once such a commitment has been made and negotiations on an instrument have begun, the adoption of a code of conduct which establishes principles and commitments for limiting the proliferation of missiles for military purposes would have greater political and practical meaning.

32. We are aware of the lack of political will in some States which are far advanced in those technologies to facilitate and enter into negotiations in that regard. Be that as it may, Cuba is convinced that continuing export and import control regimes which are selective and discriminatory, do not imply a firm commitment to the total prohibition of the use of missiles for military purposes and do not clearly and tangibly promote international cooperation for the socio-economic development of States will result in the continued risk of development of sophisticated weapons, in particular weapons of mass destruction, and the risk of their use, with disastrous consequences for humanity.

33. Cuba hopes that the Panel of Experts will continue studying the issue of missiles in all its aspects, taking into account these points, and looks forward to the results of that review which should include concrete recommendations for the consideration of Member States which will lead to a fair, comprehensive and non-discriminatory solution to the issue of missiles in all its aspects.

El Salvador

[Original: Spanish]
[3 July 2003]

1. Every year, in its report to the United Nations Register of Conventional Arms, including category VII arms, El Salvador has stated that it has not acquired any missiles.

2. The Declaration of the Presidents of Central America and the Dominican Republic and the representative of the Prime Minister of Belize, on the Non-Participation in the Acquisition of Strategic High-Technology and High-Cost Weapons of Mass Destruction was signed on 6 November 1997.

3. The Framework Treaty on Democratic Security in Central America (articles 34, 35 and 37) reaffirms the commitment of the Parties to refrain from building, acquiring or allowing the construction in their territories of facilities, which could be used to produce or stockpile such weapons.

Mexico

[Original: Spanish]
[13 May 2003]

1. Mexico is concerned by the increase in recent years in the development, production, testing, technical improvement, stockpiling, transfer and proliferation of missiles, especially given their ability to carry weapons of mass destruction.

2. Mexico also regrets that in spite of unilateral, bilateral or multilateral efforts to establish controls on missiles, to date there is no universally accepted norm or instrument for that purpose. Neither is there any international consensus on how to approach this issue of fundamental importance for international peace and security.

3. During the fifty-seventh session of the General Assembly, Mexico supported the adoption of resolution 57/71 entitled "Missiles", which welcomed the report of the Secretary-General on the work of the Panel of Governmental Experts on missiles established pursuant to resolution 55/33 A, and requested the Panel to explore the issue of missiles in all its aspects and to submit a report for consideration by the General Assembly at its fifty-ninth session.

4. The Government of Mexico acknowledges that the report of the Panel of Experts is only the first attempt by the United Nations to deal with the issue of missiles in all its aspects and that the complexity of the issue prevented the Panel from making recommendations on a course of action.

5. Nevertheless, Mexico hopes that in its next report the Panel of Experts will have made progress towards drafting recommendations, in particular on the link between missiles and weapons of mass destruction, dual-use technologies and possible confidence-building measures.

6. The issue of missiles in all its aspects should be considered within the context of an inclusive, multilateral and non-discriminatory process and should lead to a legally binding agreement.

Qatar

[Original: Arabic]
[5 May 2003]

1. A connection should be made between medium- and long-range ground-ground ballistic missiles and weapons of mass destruction with respect to the prohibition, removal and elimination of such weapons.

2. The range of ground-ground ballistic missiles should not exceed 150 kilometres; that restriction should be imposed on all regional and international States without exception.

3. Permanent inspection commissions should be formed and a mechanism should be devised for implementing removal and elimination procedures; sanctions should be imposed upon Member States that do not comply.

Russian Federation

[Original: Russian]
[30 May 2003]

1. The Russian Federation commends the report of the Secretary-General "The issue of missiles in all its aspects" (A/57/229). The document contains useful information and is balanced and analytical. It accurately reflects the problems associated with analysis of the proliferation of missiles, and gives a retrospective analysis of the development of ballistic missile weapons of various classes and performing various roles employed in various spheres of military activity. It gives an overview of the current system of international measures aimed at reducing the risk of missile proliferation. On the whole, the report objectively reflects the existing situation in the world associated with the problem of ballistic missiles.

2. Despite the fact that the preparation of this document was the first attempt made by the United Nations in this area, it yielded certain results. The report rightly points the international community towards a need to resolve the urgent problems of the spread of missile proliferation. It reflects the concern that, with the missile arsenals now amassed in the world, there are as yet no universally acknowledged norms and instruments in the missile sphere.

3. In this sense, the report, for all its positive aspects, does not provide a response to the issue of the practical steps that should be taken in this area for purposes of limiting and halting the proliferation of missiles. For objective reasons associated with working on a consensus basis, it was naturally not possible to reflect in the report specific recommendations regarding possible solutions that would provide for the establishment of an appropriate legal basis. Unfortunately, the government experts who put forth proposals on this subject did not meet with understanding on the part of certain members of the Panel.

4. In particular, the Russian Federation proposed a memorandum of intent in the field of missile proliferation and the conduct of negotiations under United Nations auspices, preferably in the Conference on Disarmament. The purpose of such negotiations would be to draw up a legally binding agreement on a universal missile proliferation regime based on the idea of a global monitoring system for missile proliferation and missile technology, and also on other existing ideas and proposals on the subject.

5. Bearing in mind that the work on the report was conducted in a situation in which countries spoke from various sometimes diametrically opposed positions, on many issues it was not possible to reach agreement. This is an additional argument for the importance of continuing the work within the framework of the United Nations. In so doing, attention should be focused on a programme of action aimed at preventing the proliferation of missiles and missile technology, and thus at reducing the missile threat. It is important to draw up recommendations on directions for further activity within the framework of the United Nations.

6. In further work on the report, more prominence could be given to the use of missiles for the peaceful conquest of outer space, and to issues of joint international activity in that sphere. It would make sense to reflect the topic, widely discussed in the international community, of the possibility of missiles falling into the hands of terrorist groups and individual terrorists, from the standpoint of the threat arising in this connection. The primary attention in this context should be paid to portable anti-aircraft missile systems, rocket projectiles and short-range missiles. The possibility of terrorist organizations and individual terrorists using missiles for purposes of provocation can also not be excluded.

7. The appropriate prerequisites for continuing the work are available: the existing report on missiles, which reflects the experience of joint study of the problems; a number of specific recommendations for further steps put forward by a number of experts, including those from Canada, China, India, Iran (Islamic Republic of), South Africa, Ukraine and other countries. It would make sense to focus further work in the United Nations in the area of missiles on the search for mutually acceptable solutions based on what has been achieved. Obviously, the main efforts must be directed towards drawing up universal international norms to regulate the activity of and relations among States in the area of missiles in accordance with the Secretary-General's repeated statements on this subject. There is a need for an appropriate basis in treaty law along the lines of what has been developed with regard to the non-proliferation of nuclear weapons, the prohibition of chemical and biological weapons, the regulation of the activity of States in outer space and so forth.

8. The participation of interested States in this work on a non-discriminatory and equitable basis will serve as a guarantee of success, and only the United Nations, as the most representative and universal organization, can offer these possibilities. The Russian Federation is ready to continue discussion in the United Nations on the problem of missiles.

Venezuela

[Original: Spanish]
[5 June 2003]

The Government of Venezuela, having reviewed the report of the Secretary-General (A/57/229), agrees with the ideas contained therein. It believes that the link between ballistic missiles and weapons of mass destruction, in particular nuclear weapons, and reports of a possible increase in the number of missiles in the Middle East, a vulnerable region from the point of view of international peace and security, should be highlighted. The Government of Venezuela also agrees with the need to adopt a comprehensive and non-discriminatory approach to the issue of missiles, in order to achieve disarmament and security worldwide. Venezuela agrees with the position of those States which support consideration of the issue of missiles for peaceful purposes, on the understanding that ballistic missiles can be of great use in activities linked to the exploration and beneficial use of outer space, which is the shared heritage of all mankind, irrespective of technological advances achieved by various States.